IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7576 OF 2005

Shri.Dhananjay Ramchandrarao Patankar
& Anr. .. Petitioners.

Versus

Shri.Suresh Anantrao Malap
through his Constituted Attorney
Shri.Shivraj Suresh Malap & Ors. .. Respondents.

ALONGWITH

WRIT PETITION NO.7606 OF 2005

Shri.Dhananjay Ramchandrarao Patankar
& Anr. .. Petitioners.

Versus

Shri.Suresh Anantrao Malap
through his Constituted Attorney
Shri.Shivraj Suresh Malap & Ors. .. Respondents.

Mr.V.P.Sawant for petitioners.
Mr.S.S.Shah for respondent No.1.
Mr.A.R.Patne for respondent Nos.2 to 4.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 21st NOVEMBER, 2007.

P.C.:

1. These are orders under challenge in R.T.S. proceedings. Perusal of the same would demonstrate that issues of title to the immovable property cannot be held to be concluded and finally decided by such orders. These orders, therefore, would not constitute a Bar for the petitioners to assert their right in the immovable property by instituting a civil suit in a Competent Civil Court, which must be decided on its own merits and in accordance with Law, uninfluenced by the orders passed by the Revenue Authorities.

2. All contentions on merits of both sides are expressly kept open. Petition disposed of.

(S.C.Dharmadhikari, J.)